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Kansas Technical Professions



Volume 10 No. 3

July, August, September 2005



Left to right at NCEES Zone Meeting 2005 in Washington, D.C. were Jean Boline, staff member; Ken Vaughn, P.E., George Dean, P.E.; Don Rathbone, P.E.; Betty Rose, Executive Director; Tom Mulinazzi, P.E., L.S.; George Barbee, public member; and Murray Rhodes, L.S.

NCEES Zone Meeting 2005

The NCEES Central Zone meeting was held jointly with the Northeast Zone April 7-9, 2005 in Washington, DC. The Kansas Board co-hosted this meeting with the District of Columbia Board. Attending from Kansas were Board members George Barbee; George Dean, P.E.; Tom Mulinazzi, P.E., L.S.; Don Rathbone, P.E.; Murray Rhodes, L.S.; Ken Vaughn, P.E.; Betty Rose, Executive Director; and staff member Jean Boline.

The meeting began with a joint session where those in attendance heard welcomes from the DC Board Chair and from the Kansas Board, reports from national officers, and committee reports. The Committee on Examinations for Professional Engineers discussed its research into how to use codes and standards in exam questions. The Committee on Examinations for Professional Surveyors discussed why it is recommending that NCEES limit the number of books allowed in the exam room rather than supply a single reference handbook.

The group then broke into the two zones to conduct business specific to each zone. Kansas was honored when Donald Rathbone, P.E., Kansas board member, was elected to serve as the Central Zone Assistant Vice-President.

The featured speaker for lunch on Friday was the assistant to the architect of the Capitol. He spoke about the changes being made at the Capitol grounds during the construction of the new visitor's center.

Friday afternoon attendees took a tour of the National Building Museum to view the exhibit "Liquid Stone: New Architecture in



Ken Vaughn, P.E. on behalf of the Board gives welcome as the Kansas co-host at the NCEES Central Zone Meeting.



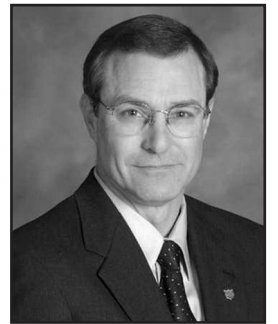
William T. Sutherland, P.E., NCEES Central Zone Vice-President and Don Rathbone, P.E., Board Member, Assistant Zone Vice-President.

Concrete" which explores innovative products and technologies of concrete. The museum occupies the building which originally housed the Pension Bureau for soldiers during the Civil War. The Great Hall has Corinthian columns which were built using 70,000 bricks each.

Saturday's meetings began with the two zone groups meeting separately. They combined to hear a presentation from the Licensure Qualifications Oversight Group which discussed its recommendations for additional engineering education requirements and a new professional practice exam. The group then broke for the PE Forum, LS Forum, and MBA Networking Group. One more separate zone meeting was held prior to lunch. Lunch included Zone awards and Resolution Committee reports.

NCEES President Visits Kansas State University

Jon Nelson, P.E., current president of NCEES (the National Council of Examiners of Engineering and Surveying) visited the College of Engineering, Kansas State University on March 31st. Mr. Nelson was accompanied by Michael Shannon, P.E., NCEES Director of Professional Services.



**Jon Nelson, P.E.
NCEES President**

It was a special time for Mr. Nelson as he is a 1974 alumnus of the K-State College of Engineering. Mr. Nelson and Mr. Shannon presented the NCEES program "Engineering Licensure, A Path of Opportunity." The program discusses the four steps to licensure which are education, experience, and taking and successfully passing the two national examinations, the Fundamentals of Engineering (FE), and the Principles and Practice of Engineering (PE). Mr. Nelson discussed some of the professional aspects of licensure. Mr. Shannon discussed the importance of engineering licensure which includes employment opportunities, career advancement, professional credibility, respect of peers within the engineering community, and possibly even the necessity of being licensed in certain employment sectors. Students were invited to ask questions of Mr. Nelson and Mr. Shannon.

Also present for the student presentation were representatives from the Kansas State Board of Technical Professions. Those present were Donald Rathbone, P.E., Dean Emeritus, Kansas State University; Timothy Sloan, L.S.; George Dean, P.E.; and Betty Rose, Executive Director.

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Office Hours
 8 a.m.–4:30 p.m.
Please leave a message on our voice mail system at other times.

Office Closings
 Our office will be closed on the following dates:
 MondayJuly 4, 2005
 MondaySeptember 5, 2005
 FridayNovember 11, 2005
 ThursdayNovember 24, 2005
 FridayNovember 25, 2005
 MondayDecember 26, 2005

Upcoming Meetings
 Check our Web site for updated information on Board meetings.


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Notice to All Licensees

The news articles contained in this publication should be treated as official correspondence from the Board of Technical Professions.

This publication is one way that the Board can keep licensees informed of the Board activities and decisions. No State General monies or Board of Technical Professions funds are used to produce this newsletter. The publisher relies on revenue from advertising to finance its publication.



Agency Mission

To provide maximum protection of the health, safety and welfare of the people of Kansas by assuring that the practice of engineering, architecture, land surveying, landscape architecture and geology in the state is carried out only by those persons who are proven to be qualified as prescribed by the statutes and rules and regulations of the Board of Technical Professions.

Programs Established To Assist With Agency Mission
 Licensing, monitoring and regulating of technical professions:

- Examine and certify Intern Engineers
- License, monitor and discipline Engineers
- License, monitor and discipline Architects
- License, monitor and discipline Land Surveyors
- License, monitor and discipline Landscape Architects
- License, monitor and discipline Geologists
- Licensing of Professional and General Corporations

Members of the Board of Technical Professions

Joe Vanderweide, Arch., Chair
 Garden City, KS
 Architect Member

Thomas Mulinazzi, P.E., L.S., Vice-Chair
 Lawrence, KS
 Engineer/Land Surveyor Member

Joseph Johnson, Arch.
 Wichita, KS
 Secretary
 Architect Member

Cecil Kingsley, P.E.
 Lawrence, KS
 PE/LS Committee Chair
 Engineer Member

Philip Meyer, L.A.
 Wichita, KS
 Arch./L.A./Geo Committee Chair
 Landscape Architect Member

George Barbee
 Topeka, KS
 Public Member

George Dean, P.E.
 Wichita, KS
 Engineer Member

Board Staff

Routing your calls to the numbers below will allow our staff to better assist you by answering questions about the areas they handle. You may also leave a message on our voice mail if we are unavailable and we will return your call promptly.

Call (785) 296-3053	For Information On General information questions, application packet requests, address changes
Pat Johnson (785) 296-4800	Corporations, continuing education
Jean Boline (785) 296-8612	Examinations Verifications
Jeannine Harmon (785) 296-3054	Application status, licensure qualifications and foreign degree evaluations
Marilyn Nance (785) 296-4400	Renewals, reinstatements, accounts payable and receivable

Richard Moberly, Geologist
 DeSoto, KS
 Geologist Member

Stan Peterson, Arch.
 Topeka, KS
 Architect Member

Donald Rathbone, P.E.
 Manhattan, KS
 Public Member

Murray Rhodes, L.S.
 Kansas City, KS
 Land Surveyor Member

Timothy Sloan, L.S.
 Riley, KS
 Land Surveyor Member

Kenneth Vaughn, P.E.
 Prairie Village, KS
 Engineer Member

Mark Bennett, Jr.
 Board Attorney

Betty L. Rose
 Board Executive Director

DISCIPLINARY ACTION TAKEN BY THE BOARD

by Mark L. Bennett Jr.,
Board Attorney

IN THE MATTER OF DENNIS T. MITCHELL

Summary:

Several months ago, Kansas State Board of Technical Professions received information from a Kansas licensed architect that he was of the opinion that Dennis T. Mitchell, who is a Kansas licensed architect, had sealed and signed a set of architectural plans and specifications for an adult daycare center in Winfield, Kansas, which were neither prepared by Dennis T. Mitchell or under his direct supervision and control but rather were prepared by an architect licensed in another state. It was further the belief of the architect that brought this matter to the attention of the State Board that Mr. Mitchell had failed to complete a detailed review and evaluation of the documents in violation of the provisions of K.S.A. 74-7026(5) and K.A.R. 66-6-4(d). Upon receipt of this information, the Complaint Committee of the Board assigned one of its investigators to conduct an investigation of this matter. Upon completion of said investigation and the receipt of the investigator’s report, the Complaint Committee then directed that a formal complaint be filed against Mr. Mitchell for said violations.



Mark L. Bennett Jr.

Board Action:

Following the filing of the complaint by the Board, a hearing was set before a panel of the Board. Prior to that hearing, the Board, Mr. Mitchell and his attorney resolved the matter by way of a Settlement Agreement and Consent Order. In that Consent Order, Mr. Mitchell agreed that he stamped and sealed plans and specifications for the adult daycare center in Winfield, Kansas, which were neither prepared by him or under his direct supervision and control but rather were prepared by an architect licensed in another state and that he (Mitchell) had failed to complete a detailed review and evaluation of the documents in violation of the provisions of K.S.A. 74-7026(5) and K.A.R. 66-6-4(d). The terms of settlement provided that Dennis T. Mitchell, will forthwith cease and desist from stamping and/or sealing plans and specifications, which are neither prepared by him or under his direct supervision and control; that Dennis T. Mitchell, shall pay a fine of \$2,200.00 and one-half of the Board’s expenses and attorney fees incurred in the prosecution of this matter in the amount of \$1,338.01 for a total fine and expenses of \$3,538.01 with said fine and expenses to be paid no later than March 18, 2005.

Status:

Mr. Mitchell has complied with the requirements of the Settlement Agreement and Consent Order and his license is presently in good standing in the State of Kansas.

IN THE MATTER OF DENNIS HANDKE, L.S.

Summary:

In December 2003, the Kansas State Board of Technical Professions received an inquiry from an individual concerning the land surveying practices of Dennis Handke. Following receipt of that inquiry, the Complaint Committee of the Board directed that the matter be investigated. That investigation established that on or about August 23, 2001, respondent performed a boundary survey regarding the Delaware reserve line located in Section 23, Township 11 South, Range 17E of the 6th P.M. in Jefferson County, Kansas. Subsequent to the initial survey, Mr. Handke prepared four revisions to said survey dated December 17, 2001, April 23, 2002, November 18, 2002 and January 13, 2003. Following the completion of the investigation, it was the investigator’s opinion that in performing the initial survey and the subsequent revisions, that Mr. Handke had failed to meet the Kansas minimum standards for boundary surveys as set forth in K.A.R. 66-12-1 for the following reasons:

- A. Respondent failed to file section quarter reports with the Kansas State Historical Society as required.
- B. A section quarter report form filed with the Jefferson County engineer was not properly completed in the area entitled “Detailed Method of Recovery or Establishment.”
- C. The South quarter corner of the section in question was not physically located or marked.
- D. The legal description on every revision always included both the Delaware Reserve Line and the

“dog leg” section and the legal description of the “dog leg” has been modified on some of the revisions. The “dog leg” area was not included in the court order or the survey.

- E. No mention was ever made of the North-South half section line in the legal description of each version of the survey.
- F. The initial report or plat of survey prepared by respondent does not substantially meet the minimum standards for boundary surveys in that the lines and distances for the exterior of the area shown do not form a closed figure within the standards, the monuments found are not adequately identified as to character and description and the bearings along the Delaware reserve line are either misleading or incorrect.
- G. The first revised survey, dated November 14, 2001, contains bearing errors along the Delaware reserve line.
- H. The court order directing that the survey be conducted clearly states that the purpose of the survey was “to survey the Delaware reserve line and the North-South section line, all within Section 23, Township 11S, Range 17E of the 6th P.M. in Jefferson County, Kansas” and it was improper for the respondent to include the “dog leg” section since that was not included in the order.
- I. Respondent failed to provide a copy of the November 14, 2001 revision to the court in a timely manner.
- J. The original and first revision surveys do not have a common bearing for the reserve line.
- K. The revision, dated April 23, 2002, contains many major revisions to the previous surveys that create closed figures on part of the bearings and distances shown, such as the “dog leg” section. However, there still exists incomplete or incorrect data on said revision in other areas.
- L. Respondent’s five revisions of the same survey indicate a lack of adequate review or supervision as required by the Kansas minimum standards for boundary surveys.
- M. Respondent’s actions indicate that he consistently failed to understand that the District Court of Jefferson County was his client in the matter and therefore failed to adhere to the order of the court by surveying a legal description that was not part of the order.
- N. Respondent failed to survey and adequately monument the North-South half section line that was a part of the court order. This is not in compliance with the Kansas minimum standards for boundary surveys.
- O. The narrative report of survey prepared by respondent as an attachment to the revision, dated December 17, 2001, was not made available to his client, the District Court of Jefferson County, Kansas, as required by the minimum standards for boundary surveys.
- P. The narrative report of survey was not noted on the graphical revision of December 17, 2001 or on the revision dated April 23, 2002, November 18, 2002 or January 14, 2003.
- Q. Respondent failed to file section corner reports with the Kansas State Historical Society as required by the statutes and the Kansas minimum standards for boundary surveys.
- R. A section corner report filed by respondent in the office of the Jefferson County Engineer for the North line of Section 23-11-17E and the intersection with the Delaware reserve line failed to explain the theory of location as required by the Kansas minimum standards for boundary surveys.
- S. The original graphical survey, dated August 23,

2001 and all revisions thereto all lack sufficient information to check the closure on all shown lines. Furthermore, only the last revision, dated January 14, 2003, contains a North arrow and a scale.

- T. The references to certain dates and surveys on the face of the graphical report of survey are not adequately explained as to their origin and significance on the face of the drawing.
- U. Respondent failed to contact and discuss discrepancies between the 1999 survey performed by Fred Rogers and respondent’s survey of 2001 with Fred Rogers as required by the Kansas minimum standards for boundary surveys.

Board Action:

Following the receipt of the investigative report, the Board and Mr. Handke resolved this matter by entering into a Settlement Agreement and Consent Order. The terms of which were as follows:

- 1. Dennis Handke admitted that he had deviated from acceptable land surveying practices and the minimum standards for boundary surveys as set out in paragraphs A through U above.
- 2. Dennis Handke, shall immediately conform his land surveying practices to generally accepted land surveying practices in the State of Kansas and the minimum standards for boundary surveys as adopted by the Kansas State Board of Technical Professions in K.A.R. 66-12-1.
- 3. Dennis Handke shall forthwith file the required reference reports for said surveys with the Kansas State Historical Society, if he has not already done so.
- 4. Dennis Handke will pay all expenses of the Board, including attorney fees and investigation fees incurred in the investigation and prosecution of this matter in the amount of \$3,879.44 and a fine of \$1,120.56 for a total fine and costs of \$5,000.00. Said fine and costs shall be paid to the Kansas State Board of Technical Professions on or before April 15, 2005.

Status:

The Board approved the Consent Order Settlement Agreement subject to Mr. Handke correcting the eight (8) reports he filed on May 11, 2005. Mr. Handke has paid the costs and fine in this matter and his license to practice land surveying is in good standing.

Disciplinary Action/to page 4

IN THE MATTER OF TRACY REYNOLDS, DANIEL KNIGHT AND TRACY D. ANDERSON

Summary:

In February 2004, the Kansas State Board of Technical Professions received an inquiry regarding Reynolds, Knight and Anderson, all of whom are principals in the architecture and engineering firm of RKA, which has offices in the State of Kansas and Colorado. Prior to forming the firm RKA, the three principals of that firm had been employees of another architectural firm in Manhattan, Kansas. At the time Tracy Reynolds, Tracy Anderson and Daniel Knight left their previous firm and formed RKA, they were allowed to take with them certain photographs of the prior firm’s projects, which were designed and constructed during the period of their employment with that prior firm. Those photographs were provided to them with the understanding and stipulation that proper credit would be given to the prior firm if said photographs were used for RKA’s promotion or publication.

Subsequent to leaving their prior firm, the photographs that they were allowed to take with them when they left the firm, were used in brochures and/or advertisements by RKA without any credit being given to their previous employer for said projects.

Board Action:

The Complaint Committee of the Board directed that this matter be investigated. Following receipt of the investigator’s report, a Settlement Agreement and Consent Order was entered into between Tracy Anderson Daniel Knight and the Board in which Tracy Anderson and Daniel Knight agreed and admitted that the advertisement that appeared in the 2004 Manhattan Business Directory implied that the projects shown in the photographs in that advertisement were a result of their work and that the advertisement further implied that they were the sole or exclusive licensed professionals to work on each of said projects, when in fact, such was not true and that therefore each of them were in violation of the provisions of K.S.A. 74-7026(a)(2) and (4) and K.A.R. 66-6-4(f)(1)(2)and (n). Tracy Anderson and Daniel Knight further agree to the following:

1. That they will pay a fine in the amount of \$500.00 plus all expenses incurred by Kansas State Board of Technical Professions in the investigation and prosecution of this matter in the amount of \$1,455.00 for a total of \$1,955.00. Said fine and expenses are to be paid on or before May 1, 2005.
2. They will immediately cease and desist from misrepresenting their qualifications and the scope of their responsibility in connection with work for which they are claiming credit, in violation of K.S.A.74-7026(a)(2) and (4) and K.A.R. 66-6-4(f)(1), (2) and (n).
3. They will forthwith modify all promotional brochures and advertisements in such a way as to accurately and truthfully represent the nature and extent of their participation in any project referenced in such a brochure or advertisement.

Status:

Mr. Anderson and Mr. Knight have complied with the requirements of the Settlement Agreement and Consent Order, have paid the fine and expenses, and their licenses are presently in good standing in the State of Kansas. The complaint against Tracy Reynolds was dismissed.

Report of Alleged Violation Procedure

An important part of being a professional is helping to uphold the high standards of the profession. Webster’s Dictionary defines a profession as “a calling requiring specialized knowledge and often long and intensive academic preparation.” Similarly, a professional is one who is “characterized as conforming to the technical or ethical standards of a profession.” The regard with which a profession is considered is a direct result of the manner in which those professionals engaged in it conduct their practice. With the title of professional comes the often very difficult responsibility of ensuring that the high standards of the professionals are maintained.

The “Rules of Professional Conduct,” K.A.R. 66-6-4(p), states...” “Each licensee with knowledge of any

alleged violation of K.S.A. 74-7001 et seq. or the rules and regulations promulgated and adopted by the board shall: (1) report the alleged violation to the board; and (2) cooperate with the board furnishing information or any assistance that may be required.” To make this process easier, the following report of alleged violation form may be used. This use is not mandatory, however, and in many cases a written letter explaining the problem may provide even more information.

Inquiries may be sent to the Kansas State Board of Technical Professions, 900 SW Jackson, Room 507, Topeka, Kansas 66612-1257. It is important that the individual provide his or her name and address, as the Board cannot investigate anonymous inquiries.

KANSAS STATE BOARD OF TECHNICAL PROFESSIONS

REPORT OF ALLEGED VIOLATION FORM

1.

Your Name, Address, & Phone Number:

2.

Address of the building or project:

3.

Name & address of person being reported:

4.

Name of owner of project (if known):

5.

Name of construction company involved in project (if known):

6.

Please describe why you believe there may be a violation of our laws concerning this project:

7.

Please provide any other information you believe is relevant to your complaint:

Date:

Signature:

State Specific Exam Committee Meets

Dr. Richard Elgin, PLS, PE

The Kansas Board’s State Specific Land Surveying Exam Committee recently met in Topeka. Chaired by Dr. Richard Elgin, the committee is made up of nine Professional Land Surveyors from different practice backgrounds and geographic areas of the State. The committee meets periodically to review the appropriateness of the materials and syllabus of the State Specific exam, which is one of the exams required for licensure as a Kansas Land Surveyor. The group also reviews each question in the bank of questions used on the exam and writes new questions. “The Board appreciates the time and dedication of this group,” said Board Member Murray Rhodes, LS. “The Board’s purpose is to make the exam complete, fair and appropriate and to assure competence of those whom we license. This group helps us achieve that goal,” he added.

Some years ago the Committee identified seven subject areas which are examined on the State Specific Exam. They are: 1.) The GLO system as used and applied in Kansas. 2.) Resurveys on the U.S. Public Land Survey System (USPLSS). 3.) Kansas Minimum Standards. 4.) Calculation problems related to the USPLSS. 5.) Kansas Statutes and Rules. 6.) The Kansas State Plane Coordinate System. 7.) Kansas Riparian Boundaries. Each question on the State Specific Exam relates to one of these topics. The Committee reviewed the percentage of the exam that covers each of these areas and slightly revised the syllabus percentage. The new (only slightly revised) percentages of the exam assigned to each subject area are:

Kansas Minimum Standards	22%
Resurveys on the USPLSS	19%
Kansas GLO	18%
Calculations Problems (on USPLSS)	17%
KSA and Rules	13%
Kansas State Plane Coordinates	6%
Kansas Riparian Boundaries	5%
	<u>100%</u>

In another change, the Committee decided to begin reporting (to those who fail the State Specific Exam), the areas (from the seven mentioned above) in which the failed examinee performed poorly. Beginning with the April 2005 exam, the Board will enclose a form which ranks the seven subject areas examined, from best to poorest performance. These results can be used by the examinee to prepare for a retest, should he or she wish to take the exam again.

The Board thanks the Exam Committee for its work in helping make the exam fair and complete.



Pictured are participants in the February 26 Land Surveyor Exam Workshop. Standing left to right are Chip Woods, L.S.; Larry Graham, P.E., L.S.; Dr. Richard Elgin, L.S., exam consultant; Arthur Griffiths, L.S.; and Stephen Marion II, L.S. Seated left to right are Murray Rhodes, L.S., Board member; Dr. Tom Mulinazzi, P.E., L.S., Board member; and Tim Sloan, L.S., Board member. Not pictured is Fred Gibbs, L.S.



Dr. Elgin presents statistics on state specific exams to workshop attendees. Seated to Dr. Elgin’s left is Fred Gibbs, L.S.

The Kansas State Board of Technical Professions is pleased to announce the following individuals have successfully passed all parts of their Technical Professional examinations and are now licensed.

Architect Registration Examination (Feb. 15, 2005 - May 10, 2005)		
NAME	Home City	State
Jitendra Kashyap	Ladera Ranch	CA
Darrin R. Prock	Lenexa	KS

Landscape Architect Registration Examination		
NAME	Home City	State
Eric A. Bernard	Manhattan	KS

Geology—March 2005 Exam		
NAME	Home City	State
Brad Curtis Vincent	Goddard	KS

The Kansas State Board of Technical Professions is pleased to announce the following individuals have successfully passed the fundamentals portion of their Technical Professional examination and have been issued an Intern Certificate.

Geology—March 2005 Exam		
NAME	Home City	State
Christopher Paul Conrad	Maple Hill	KS
Thomas Franklin Jones	Lawrence	KS
Andrea Rose Schiller	Hoisington	KS

Kansas Board of Technical Professions

Current Licensees

May 10, 2005

<u>Profession</u>	<u>Resident</u>	<u>Non-Resident</u>	<u>Total</u>
Architects	952	1,566	2,518
Engineers	4,180	5,193	9,373
Landscape Architects	137	209	346
Land Surveyors	502	274	776
Geologists	392	201	593
Total	6,163	7,443	13,606

<u>Engineers-In-Training</u>	14,742
<u>Land Surveyors Fundamentals</u>	40
<u>Geologists Fundamentals</u>	35

<u>Corporations</u>	<u>Resident</u>	<u>Non-Resident</u>	<u>Total</u>
Architects	112	259	371
Engineers	215	604	819
Landscape Architects	19	15	34
Land Surveyors	72	52	124
Geologists	28	39	67
Total	446	969	1,415

ADDRESS CHANGE NOTIFICATION MANDATORY

This newsletter is being mailed to you at the address on file at the board office. If you move and do not notify the board office, you will not receive this newsletter, and you may be in violation of the Board’s statutes.

According to K.S.A. 74-7025, “The licensee shall notify the board in writing of any change of the licensee’s address within 30 days after the date of such change.” Please use the following change of address form to report any changes to your home or business addresses.

CHANGE OF ADDRESS FORM

NAME _____

PROFESSION _____

LICENSE NO. _____

OLD ADDRESS-HOME _____

OLD ADDRESS-BUSINESS _____

NEW ADDRESS-HOME _____

NEW BUSINESS NAME & ADDRESS _____

Daytime Telephone Number (_____) _____ - _____

PREFERRED MAILING ADDRESS:

HOME _____

BUSINESS _____

CUT & MAIL TO:
Kansas State Board of Technical Professions
900 SW Jackson, Suite 507
Topeka, KS 66612-1257

Board of Technical Professions Visits Wichita State University

The February 25, 2005 meeting of the Board of Technical Professions was held on the campus of Wichita State University. A student forum was held in the National Institute for Aviation Research and was attended by students of engineering. Joe Vanderweide, Board Chairperson, welcomed the students and board members introduced themselves. Ken Vaughn spoke to the students concerning the importance of licensure. He pointed out to the students the importance of keeping track of the engineering practice after graduation in preparation for applying to take the Principles and Practice of Engineering exam. Students were invited to ask questions about the licensure process. The board appreciates the hospitality of Dean Horn and Betty Alford for their work in hosting the meeting and the student forum. The College of Engineering sponsored a pizza lunch for students.



Left to right: Joe Vanderweide, Architect, Board Chairperson; Dr. Walter Horn, Dean of the College of Engineering, Wichita State University.



While KSBTP looks on, Ken Vaughn, P.E. addresses Wichita State University students.

FARB Held in February

by George Barbee, Public Member

The Federation of Association of Regulatory Boards (FARB) meeting was held in Scottsdale, Arizona, in February. There were 180 registrants attending with about 20% being attorneys from boards or A.G. offices, 40% state board administrators, and 40% individual board members. There was representation from 13 Member associations with NCARB being one of those.



George Barbee
Public Member

The sessions varied and a few were more applicable to licensed practitioners requiring more of a prescriptive practice than that of designers, i.e. nurses, social workers and CPAs, but there were plenty of appropriate topics for all attendees. Sessions on ethics, new legislation, recent Attorney General opinions, budget protection, and court rulings were right on target. There was one disturbing report from California where the Governor is seeking to abolish the board members of about thirty licensure agencies. If the legislature does not specifically take action to stop this order it will become effective July 1, 2005. This proposed concept would possibly save money if the state has one regulatory agency to protect the people.

Corporation Changes

Name Changes

Maxim Technologies Inc. to Tetra Tech, Inc. (G-42)

USFilter Engineering & Construction, Inc. to N.A. Water Systems, LLC (E-1054)

Tetra Tech FM, Inc. to Tetra Tech EC, Inc. (E-1036)

Lotti, Krisham, Short & Quadrini, PC to KSQ Architects, PC (A-444)

Inactivated

Rafael Architecs, Inc. (A-454)

Arete 3, Ltd. (A-278)

Johnson Controls, Inc. (E-602)

O2 Wireless, Inc. (E-824)

Associated Engineering PC (LS-169)

Corporations Certified

Between February 11, 2005 and May 11, 2005

Landscape Surveying

<u>Name</u>	<u>License #</u>
Akin, Gordon & Cowger Engineers Inc.	LS-174
Brungardt Honomichl & Company PA	LS-175
Midland Surveying, Inc.	LS-176

Architecture

Elliott & Hamill Architects Inc.	A-564
Research Facilities Design	A-565
Elness Swenson Graham Architects Inc.	A-566
Rhadius PC	A-567
BGO Architects, Inc. DBA Deeler Guest Owners Arch	A-568
Harrison French & Associates LTD	A-569
Architectural Group International	A-570
Interior Architects, Inc.	A-571
Looney Ricks Kiss Architects, Inc.	A-572
The Preston Partnership, LLC	A-573
Jack Ball & Associates Architects PC	A-574
Burbach Aquatics, Inc.	A-575
E.A. Bonelli + Associates, Inc.	A-576

Professional Engineering

Barnes Henry Meisenheimer and Gende, Inc.	E-1199
P.S.D., Inc.	E-1200
Lurgi PSI, Inc.	E-1201
DMJM Aviation, Inc.	E-1202
Hendon & Redmond, Inc.	E-1203
Bennor Engineering, LLC	E-1204
Masterworks, Inc.	E-1205
Arsee Engineers, Inc.	E-1206
PMC Engineering Solutions, Inc.	E-1207
Weintraub Organization, Ltd.	E-1208
Jordan & Skala Engineers, Inc.	E-1209
Edge Consulting Engineers, Inc.	E-1210
Aley & Associates, Inc.	E-1211
Harrison French & Associates, Ltd.	E-1212
Aqua Tech Engineering Consultants Chartered	E-1213
Lackey Engineering, PA	E-1214
Horizon Engineering Services	E-1215
LWG Consulting, Inc.	E-1216
Steen Engineering, Inc.	E-1217
Columbia Engineering & Services, Inc.	E-1218
GAI Consultants, Inc.	E-1219
Lifetime Technology Group, Inc.	E-1220
Advanced Civil Engineering Consultants, Inc.	E-1221
MIMM Associates, Inc.	E-1222
CLT/Thompson, Inc.	E-1223
R.W. Beck, Inc.	E-1224
Affiliated Engineers, Inc.	E-1225
Perma Cold Engineering, Inc.	E-1226
Antella Consulting Engineers, Inc.	E-1227
Associated Engineering, Inc.	E-1228

IN MEMORIAM

The Board and staff wish to extend our sympathies to the families and friends of these individuals who have honored their professions:

Professional Engineers

Aleck Alexander	#5940	Overland Park, KS
John K. Kintigh	#5055	Kansas City, MO
Don C. Moehring II	#3463	Wichita, KS
Charles V. Petrie	#4587	Douglass, KS
James R. Porter	#2502	Toledo, OH
Ralph E. Porter	#5192	Overland Park, KS
Richard Ross	#5539	Sedgwick, KS
Sargis Sako Safarian	#15927	Arvada, CO
Christie L. Schroeder	#2736	Wichita, KS
Robert Selzer	#7949	Mission, KS
Robert P. Sykes	#15453	Underwood, IA
Robert R. Vetter	#4327	Westwood Hills, KS
Joel A. Wentz	#4380	Salina, KS
Ben L. Williamson	#735	Troy, KS

Land Surveyor

Lyle D. Cherry	#254	Topeka, KS
Don C. Moehring II	#936	Wichita, KS
B. K. Overman	#40	Marysville, KS
Ralph E. Porter	#394	Overland Park, KS
Kenneth J. Turner	#297	Salina, KS
Ben L. Williamson	#544	Troy, KS

NATIONAL COUNCIL OF EXAMINERS FOR ENGINEERING AND SURVEYING

NCEES obtains copyright infringement judgment against examinee

The National Council of Examiners for Engineering and Surveying has obtained a copyright infringement and unfair business practices judgment against a former examinee who inappropriately and unlawfully copied questions from the NCEES Fundamentals of Engineering (FE) examination. NCEES filed the civil suit against Siavash Hakkakian of Sacramento, California, in the U.S. District Court for the Eastern District of California soon after he was convicted on a criminal misdemeanor charge of attempted examination subversion by the state of California.

During the April 2002 administration of the FE examination, Hakkakian was observed using a calculator in an odd manner. The California Board representatives who observed him during the examination believed he had altered his calculator to use as a scanner and was scanning the examination questions to remove them from the site. When he refused to let them inspect the calculator, he was dismissed and disqualified from the examination.

The state board turned the matter over to the California Department of Consumer Affairs’ Division of Investigation to conduct a formal investigation. The DOI executed a search warrant and seized one of Hakkakian’s computers from his home. Located on the computer’s hard drive were 158 examination questions that were identical or substantially similar to actual questions from previous FE examinations. The Sacramento County District Attorney’s Office filed the criminal charge of attempted examination subversion against Hakkakian. He pled no contest to the charge on September 17, 2003, and was subsequently sentenced.

At its February 2004 meeting, the NCEES Board of Directors authorized NCEES staff to initiate civil action against Hakkakian.

The Stipulation of Final Judgment and Permanent Injunction was entered by the court on March 24, 2005. The judgment states that Hakkakian “infringed NCEES’s copyrights in one or more FE examination forms and its

copyrights in the questions and answers contained therein” and that he “acted in a manner and with sufficient knowledge to have his actions characterized as willful copyright infringement.”

Under the terms of the judgment, Hakkakian is enjoined from registering for or taking any future administration of the FE examination or other NCEES examinations. He must also deliver to NCEES all copies of any FE exam questions in his possession and pay statutory damages agreed upon by both parties.

“NCEES is serious about exam security, and we will not hesitate to pursue legal action,” says NCEES Executive Director Betsy Browne. “Our exams are our lifeblood. Dealing harshly with individuals who refuse to respect exam security and our intellectual property rights helps ensure the integrity of the licensing process for engineers and surveyors.”

“This is also a good example of why NCEES has a strict calculator policy,” says Browne. For many years, NCEES policy has prohibited calculators with text-editing and communication abilities from the examination rooms. Of great concern is the ability to type in text, store it in memory, and then transfer the data to another calculator, personal computer, or other electronic device. Beginning with the April 2005 examinations, NCEES extended the ban to all calculators not on a short list of approved calculators to reduce confusion among examinees and proctors.

A primary function of NCEES is to prepare standardized, confidential licensure examinations administered nationally every April and October. State boards use the examinations to help determine the competency of individuals seeking to become licensed to practice as professional engineers and surveyors. NCEES also provides examination scoring and administration services to licensing boards, as well as a variety of other products and services to engineering and surveying professionals.

Social Security Numbers Are Now Mandatory

K.S.A. 74-139, which sets out licensure requirements, provides as follows:

“(a) In addition to any information required to be submitted to a state authority by an applicant for original licensure, certification or registration, or a renewal thereof, the applicant shall be requested to provide the social security number of such applicant. Upon request of the director of taxation, each such authority shall provide to the director of taxation a listing of all such applicants, along with such applicant’s social security number and address.

(b) The provisions of this section shall apply to all such applications for licensure, certification or registration, or renewal thereof, submitted after December 31, 1988.”

A plain reading of the statute reveals that the social security numbers shall be requested on the licensure application and such numbers, names and addresses **shall** be provided to the director of taxation upon request. The Kansas Department of Revenue has requested that the Board of Technical Professions provide names, addresses, and social security numbers of its licensees and/or applicants. Because of this request, the Board of Technical Professions will be requiring the social security number on all applications. Also, in order to renew a license, the social security number must be available. A form has been included with all renewal applications.

The Board of Technical Professions will **not** release social security number information unless required by law and then only to the agency authorized by statute to obtain the information.

CLARB Begins Scientific Study of the Profession of Landscape Architecture

Survey Invitations Mailed in Late March

Vienna, VA—The Council of Landscape Architectural Registration Boards (CLARB) announces that its third “Task Analysis” of the profession of landscape architecture is underway. Approximately 6,000 landscape architects from the U.S. and Canada will soon be asked by mail to participate in this scientific study that will determine the knowledge, skills and abilities needed to practice the profession of landscape architecture without endangering the health, safety and welfare of the public.

CLARB President Sandra Gonzalez urges every landscape architect who is asked to participate in the Task Analysis to do so. “The success of this study depends on the willingness of landscape architects to take the time to respond carefully and thoughtfully to the survey.”

The results of the study will ensure that the subject matter in the Landscape Architect Registration Examination (L.A.R.E.) reflects current practice and remains a valid measure of a newly-registered landscape architect’s ability. Gonzalez adds, “The Task Analysis serves as a critical source of evidence for the validity of the L.A.R.E. and provides strong support for our position in the event of a legal challenge.” CLARB conducted previous Task Analyses of the profession of landscape architecture in 1991 and 1998.

CLARB Executive Director Clarence L. “Buck” Chaffee adds that scientific studies, like the Task Analysis, also advance landscape architectural licensure efforts and bolster the credibility of the profession. “Any licensure effort, whether it is a sunset defense of an existing law or establishment of a new law, needs the hard facts that the Task Analysis provides. CLARB’s previous studies have been invaluable in a number of legal challenges to the rights of licensed landscape architects.”

Landscape architects who participate in the survey will do so confidentially. The information will be used only to assess the content of the L.A.R.E. and to strengthen the definition of the profession. Everyone who is asked to complete the Task Analysis survey should do so, even if they participated in the Landscape Architect Body of Knowledge (LABOK) Study conducted in 2003, as the two studies address significantly different issues. The results and impact of the 2005 Task Analysis will be announced later this year.

The Council of Landscape Architectural Registration Boards (CLARB) is dedicated to ensuring that all individuals who affect the natural and built environment through the practice of landscape architecture are sufficiently qualified to do so. CLARB’s members work together to establish standards for education, experience and examination required for the professional licensure of landscape architects.

\$10 Increase for ARE Divisions Will Begin July 2005

Washington, DC—After eight years of delivering the computer-based Architect Registration Examination (ARE), NCARB will implement a \$10-per-division fee increase, effective July 1, 2005. This represents the first increase in the overall cost of the computerized ARE to candidates since its introduction in 1997. The increase will help defray future exam development expenses and reduces the subsidy currently underwritten by NCARB Certificate Holders.

- The fee for each ARE division will increase by \$10 (U.S. dollars) beginning July 1, 2005.
- Fees collected ***BEFORE*** July 1, 2005, are ***NOT*** affected.
- The fee to reschedule an appointment remains \$35 (U.S. dollars).

French-language candidates may visit www.oaq.com for a French version of this announcement. *Pour lire la version française de ce message, allez au* www.oaq.com.

New ARE Tests Fees (Beginning July 1, 2005)	
Multiple-Choice Divisions	
Pre-Design	\$102
General Structures	\$102
Lateral Forces	\$102
Mechanical & Electrical Systems	\$102
Building Design/Materials & Methods	\$102
Construction Documents & Services	\$102
Graphic Divisions	
Site Planning	\$153
Building Planning	\$153
Building Technology	\$153
<i>Fees listed above are in U.S. dollars. Candidates testing in Canada will be charged the 7% GST. (Government Sales Tax) in addition to each test fee.</i>	

ARE Pass Rates for 2004

Washington, DC—The pass rates, by division, for all candidates (first-time and repeat) who took the ARE in 2004 are listed below. Data are the most recent available from Thomson Prometric, NCARB’s testing consultant.

As developed by the National Council of Architectural Registration Boards, the ARE assesses a candidate’s knowledge, skills, and abilities to provide the various services required in the practice of architecture. It has been adopted for use by all U.S. registration boards and the Canadian provincial architectural associations as the registration examination for all candidates seeking architectural licensing.

For further details on the Architect Registration Examination, contact NCARB’s Professional Development department at 202/783-6500 or visit www.ncarb.org

Architect Registration Examination Pass Rates by Division					
	2000	2001	2002	2003	2004
Multiple-Choice Divisions:					
Pre-Design	73%	76%	77%	77%	75%
General Structures	76%	76%	77%	73%	73%
Lateral Forces	89%	90%	93%	92%	77%
Mechanical & Electrical Systems	78%	73%	74%	74%	67%
Building Design/Materials & Methods	90%	90%	88%	86%	76%
Construction Documents & Services	85%	86%	86%	85%	79%
Graphic Divisions:					
Site Planning	72%	64%	68%	70%	71%
Building Planning	61%	62%	68%	68%	64%
Building Technology	78%	67%	67%	65%	63%

Block of Experimental ARE Questions to Debut in July 2005

Mechanical & Electrical Systems Division Will be Affected

Washington, DC—The National Council of Architectural Registration Boards is currently exploring new methodologies in the development of multiple-choice questions for the Architect Registration Examination (ARE). The success of our new initiative depends on the cooperation of exam candidates.

Beginning July 2005, a block of 25 experimental questions (known as a “testlet”) will be delivered to all candidates at the conclusion of the **Mechanical & Electrical Systems** division of the ARE. Candidates will have one additional hour to complete these 25 questions. The block of questions will contain a mixture of traditional four-option multiple-choice questions and experimental questions, such as “fill-in-the-blank” and “check-all-that-apply.” Examples of these questions are provided below.

Over the course of the study, there will be several versions of these experimental testlets in circulation, with each testlet varying in difficulty. These testlets will be administered to candidates taking the Mechanical & Electrical Systems division until NCARB has accumulated sufficient data to make an informed decision regarding the inclusion of alternate question types in future versions of the ARE. We anticipate the delivery of these experimental questions to extend through November 2005; however, the period of delivery may be shortened or extended as necessary, depending on the results.

It is important to understand that a candidate’s performance on these experimental questions WILL NOT affect their score on the Mechanical & Electrical Systems division.

In recognition of their participation, NCARB will issue a check for \$100 to those candidates who successfully complete the experimental questions. Checks will be distributed after completion of the study during the first quarter of 2006.

NCARB thanks in advance exam candidates who will be involved in this initial experimental testlet. Their cooperation and thoughtful consideration of the material will be crucial in shaping the future of the ARE.

Examples of Experimental Questions

CHECK-ALL-THAT-APPLY

Indoor air quality is adversely affected by which of the following? Check all that apply.

☐ Solar gain

☐ Occupant activity

☐ Building materials

☐ Smoking

☐ Communications networking

☐ Ventilation rate

FILL-IN-THE-BLANK

According to the tables below, how many water closets are required for women in a 10,969 square foot theater building, of which 2,600 square feet serves as a restaurant?

water closets

NUMBER OF REQUIRED PLUMBING FIXTURES						
			Water Closets		Lavatories	
Classification	Use Group	Description	Male	Female	Male	Female
Assembly	A-1	Theaters, usually w/fixed seats and other buildings for the performing arts	1 per 125	1 per 125	1 per 200	
	A-2	Nightclubs, bars, taverns, dance halls and buildings for similar purposes	1 per 40	1 per 40	1 per 75	
		Restaurants, banquet halls and food courts	1 per 75	1 per 75	1 per 200	

MINIMUM FLOOR AREA ALLOWANCE PER OCCUPANT	
Occupancy	Floor Area of Sq. Ft. Per Occupant
Assembly, Gaming	11 gross
Bowling centers	7 net
Business areas	100 gross
Parking Garages	200 gross
Residential	200 gross

CONTINUING EDUCATION OFFERINGS

Civil PE Exam Review Course & PDH Course for Practicing Professional Engineers
September 8-Oct. 13, 2005; 6:30-9:30 p.m., Overland Park, KS
Spon: The University of Kansas School of Engineering & Continuing Education, 1515 St. Andrews Dr., Lawrence, KS 66047. Contact: Mary Heberling, 785-864-3969, email: mheberling@ku.edu, Web address: www.kuce.org/app/civeng/perc. Aud: Engineers taking PE exam & Practicing Professional Engineers. Description: Civil PE Exam Course & PDH Course for Practicing Professional Engineers . . . KU will offer a live eleven-session PE Review Course for Civil Engineers; Classes will begin Sept. 8, 2005 with two per week until Oct. 13; Sessions will be Mondays and Thursdays from 6:30-9:30 p.m. in Overland Park, KS; for more information go to <http://www.kuce.org/app/civeng/perc> or call 785-864-3969. Fee: \$599. Reg. by: September 1, 2005. Contact Hours: 33.

AIA Kansas Conference & Exhibits
September 22-24, 2005
Spon: AIA Kansas, 700 SW Jackson, #503, Topeka, KS 66603. Contact: Carol Maxim, 800-444-9853. Fac: James Cutler. Aud: Architects, Engineers, allied professionals. Description: 2 1/2 day conference with workshops, panel discussions, lectures, exhibits, tours and awards. Reg. by: September 20, 2005. Contact Hours: Up to 20.

Civil, Electrical & Manufacturing Short Courses & Conferences
Various Dates & Times; Lawrence, KS & Kansas City, MO
Spon: The University of Kansas School of Engineering & Continuing Education, 1515 St. Andrews Dr., Lawrence, KS 66047-1625. Contact: Mary Heberling, 785-864-3969, e-mail: mheberling@ku.edu, Web address: www.kuce.org. Aud: Engineers interested in civil, electrical & manufacturing logistical topics. Description: Short courses offered in How to Lay Out a Warehouse & other logistic topics; LRFD video set—28 hour training course with reference notes; Civil Engineering PE Exam Review Course; conferences on Asphalt Paving, Structural Engineering, Environmental Engineering and Transportation Safety; In-house training developed for clients as requested. Fee: Varies. Reg. by: Varies. Contact Hours: 6-33.

Engineering and Surveying Continuing Education on DVD
Spon: Auburn University Business and Engineering Continuing Education Dept., 217 Ramsay Hall, Auburn University, AL 36849. Contact: Wanda Lambert, 334-844-5711. Aud: Professional Engineers and Land Surveyors. Description: Auburn University’s Business and Engineering Continuing Education Department offers courses through DVD, videotape, or web-based instruction for Engineers and Land Surveyors to comply with the requirements of state licensing boards. These courses provide continuing education units (CEUs) but do not count for credit toward a college degree. Categories: Civil Engineering, Land Surveying, Structural Engineering, Electrical Engineering, Ethics and Legal, and Management. Visit our website for the current list of courses, descriptions and for ordering on-line at www.bece.auburn.edu/courses or call 800-446-0382. Auburn University, Business and Engineering Continuing Education Department, 217 Ramsay Hall, Auburn University, AL 36849-5331. Fee: Various by course. Reg. by: N/A. Contact Hours: Varies by Course.

Engineering Distance Master’s Degrees
Spon: Auburn University College of Engineering, 217 Ramsay Hall, Auburn University, AL 36849. Contact: Wanda Lambert, 334-844-5711. Aud: Individuals with Bachelor’s Degrees in Engineering. Description: Auburn University’s Graduate Outreach Program offers traditional master’s degrees in civil, chemical, aerospace, computer science and software, materials, industrial systems, and mechanical through distance learning. Outreach students receive the same lectures, assignments and professors as their on-campus peers. This distance learning program provides students the opportunity to pursue a master’s degree at home or work while continuing full-time employment. Class instruction is delivered to the student by DVD or streaming over the internet and making it flexible, convenient, and timely. Auburn University’s Graduate Outreach Program, 202 Ramsay Hall, Auburn University, AL 36849, www.gop.auburn.edu. Or 888-844-5300.